

and a President. We are dealing with a legislative form of government. Unfortunately, as much as we would like to write our own bills and have everybody go along and agree with our ideas, that is not the way the process works.

We think we have a substantially improved piece of legislation, one that I heartily endorse. We will discover in time if there are any shortcomings, but by and large I believe we have written a good bill.

I mentioned in his absence my friendship with the Senator from Wisconsin, talking about his amendment. As I said earlier, there is more than just a kernel of truth in what he suggests. There is an argument on the other side that I know my colleague, as a very distinguished member of the bar, will appreciate. I will not be able to support his amendment, but nonetheless I appreciate the point he is making about certainty and predictability, which is not an irrelevant issue when it comes to our courts.

For those reasons, I appreciate the fact that a majority of us here in a bipartisan way—not overwhelmingly bipartisan but a bipartisan fashion—have rejected the amendments offered by our colleagues today. My hope is that a similar result will occur with remaining amendments, that we can have final passage of this bill, that the leadership of the House will do what they said they were going to do, and that is to embrace this compromise package, and that we will be able to send this bill to the President for his signature and make a major step forward in reforming our courts so that class actions can proceed in the way the Framers intended in the Constitution, which is fair to plaintiffs and defendants alike.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, let me say I appreciate the comments of my friend from Connecticut, as I always do. I just want to point out that the amendment I have offered, as opposed to the one I offered in committee, has increased the time for deciding these motions from 60 days to 180 days. Surely 6 months is plenty of time, even in a complicated motion. So I believe the concerns of the Judicial Conference have been addressed, unless we in the Congress are going to go along with the idea there should be no time limit at all.

At this point I simply leave it at that, hoping that prior to the time of actually voting on the amendment tomorrow I would have a few minutes to repeat and reiterate my position on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, while Senator DODD is still on the floor, and

Senator FEINGOLD as well, let me first of all say to Senator DODD that we would not be here today with this compromise, which is good public policy but also something Democrats and Republicans, not all, can support—and I know we will get the support of the House and the President. I want to say a special thank you for your leadership. I have learned a lot in the last 4 years watching you and listening to you. Certainly in this instance it is no exception, but thank you.

I want to say to Senator FEINGOLD, we had a number of amendments that have been presented to us today, all thoughtful amendments by some of our very finest Members. I was not able to support any of them.

The one amendment that I have literally worked, as he knows, behind the scenes to try to get included in a managers' amendment is this amendment or some variation of this amendment. I think the underlying point you make—if a class action is filed in a State court and that is turned down and there is an effort to move it to Federal court, that is turned down, and then there is another effort to move that class action from State court to Federal court, we limit the second time through. There has to be a response in 60 days to the appeal by the Federal judge on the appeal. That would sort of beg the question, Should not there maybe be some kind of time limit as well on the first time there is an attempt to remove the case to the Federal court? That strikes me as something that makes common sense and seems fair and reasonable. As he knows, I have reached out as recently as last night with some of the people involved in the Judicial Conference and the Rules Committee to see if there is a way to strike the balance, and I believe you have moved toward that balance.

My hope is that we could take this amendment or something similar to this amendment and include it in a managers' package. You have heard Senator DODD and me and others say there is a very delicate compromise here, and there is a concern if we change one piece of the bill we invite friends on the other side, who have a different view about the balance and would like to take the bill in a different direction—we unleash them to feel free to come forth with their amendments and set the bill back.

Having said that, I still think this amendment as you have redrawn it would actually be a good addition to a managers' amendment. I learned today there is not going to be a managers' amendment. As a result, I am not going to be able to support this amendment.

I discussed this this morning with Senator SPECTER; he finds favor with your amendment. I think he mentioned that at the Senate Judiciary Committee hearing. He said to me—and he

has no reason to say this, but I think it is just in his heart—he thinks you are onto something here and would like to take the Senator's approach on this provision and include it in another bill that he is working on and presumably will have hearings on.

I think this idea, if it does not pass tomorrow and does not get included in the underlying bill, is going to live for another day and we will be back to where we can hopefully all support it.

I thank the Senator for a real thoughtful approach and for his willingness to compromise and try to find some middle ground. I think he has found it. I think his efforts will ultimately be rewarded.

Mr. FEINGOLD. Mr. President, I thank the Senator from Delaware for his kind remarks and for his genuine efforts to try to reach an accord. It is a shame when we have the chairman of the committee admitting that this ought to be dealt with, and one of the great advocates of this legislation admitting that this is just a question of fixing something, we can't get it done. There is something wrong with the way we are proceeding when we can't fix something that basically nobody is really against if we do it right.

I recognize what is likely to happen in the vote. But I take the Senator at his word that he is hoping we can resolve it. Perhaps this is something that can still happen on this bill. If not, we have to resolve it another way. But I thank him for his sincere efforts to solve this problem.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODERATE ISLAM MOVEMENTS

Mr. BOND. Mr. President, 2 weeks ago when I talked about relief for the victims of the tsunami in Indonesia and what we are doing there, I said there was much more I wanted to call to the attention of my colleagues and the people of the United States. One area that is extremely important is the enormous effort that is underway in Indonesia's mainstream, moderate Muslim population to promote a moderate,

pluralistic, democratic Islam, both in Indonesia and throughout the region.

Unlike the Middle East, in Indonesia and Southeast Asia, Islam and Muslim organizations have been at the forefront of the country's struggle for a democratic society.

And Muslim groups and leaders in Indonesia have been among the world's pioneers in driving inter-faith dialogues.

During my recent visit to Indonesia, I met Yenny Zannuba Wahid, one of the latest leaders in this movement. Yenny is the daughter of His Excellency Abdurrahman Wahid; a Muslim cleric, a leader in promoting religious tolerance in Indonesia and one of Indonesia's first democratically elected presidents.

Yenny has founded the Wahid Institute, an organization dedicated "to bringing justice and peace to the world by espousing a moderate and tolerant view of Islam and working for the welfare of all."

As Yenny noted in a recent speech, Islamist parties gained a sizable vote in the 1999 and 2004 Indonesian elections; these developments present the question of what role Islamic forces will play in setting the direction of social and political evolution in today's Indonesia. Will Indonesia, a democracy with Muslim population of over 200 million, remain on the path of a moderate, pluralistic democracy or will a small but increasingly influential minority of fundamentalistic Islamists steadily gain ground with the masses?

Through the creation of the Wahid Institute, Yenny has chosen not to allow these currents to flow without resistance. To be precise, the goal of the WI is to expand on the intellectual principles of Gus Dur to development of moderate Islamic thought that will promote democratic reform, religious pluralism, multiculturalism and tolerance amongst Muslims both in Indonesia and around the world. The institute has set out to create a dialogue between the highest spiritual and political leaders in the West and Muslim world.

The Wahid Institute has embarked on an impressive agenda of programs, including an effort to facilitate communication between Muslim and non-Muslim scholars on Islam and Muslim society and on the subjects of Christianity, Judaism, Hinduism and Buddhism; through conferences, discussions, publications and its website—wahidinstitute.org.

The Wahid Institute has plans to build a Muslim library, to serve scholars, researchers, activists, built on the library and life work of President Wahid. It is also planning to link Muslim NGOs and committed individuals to build a network of individuals and groups dedicated to promoting these ideals.

Just as importantly, the Wahid Institute will focus on the education of

young people, supporting opportunities for promising young men and women in Indonesia to focus on progressive and tolerant Muslim thinking.

But the Wahid Institute is the latest of the groups committed to promoting moderate Islam. The Liberal Islam Network and International Center for Islam and Pluralism have been hard at work at promoting a peaceful and progressive Islam for sometime. I encourage all to become familiar with these groups.

In neighboring Malaysia, a country with a majority Muslim population of 18 million Muslims, recently elected Prime Minister, Abdullah Badawi, has emerged as a strong voice in promoting ethnic and religious tolerance and equality for women.

His own country struggled through times of violent race riots and has made ethnic and religious tolerance an objective. Malaysia has been an economic success story and U.S. businesses consider it a great place to invest and do business. But the growing strains of fundamentalist Islam have emerged as a challenge. The new Prime Minister has confronted them.

As noted in an excellent opinion piece in the Asian Wall Street Journal written by Diana Lady Dougan, "with senior positions held by women in his government and a strong personal commitment to religious and ethnic tolerance, . . . Prime Minister Abdullah walks the talk. If he can combine his strong and vocal advocacy of Islam Hadhari with continued progress in Malaysia's economic development based on a rule-of-law government and market-based economies, he is well positioned to become an inspiration far beyond the borders of Malaysia."

I ask unanimous consent that a copy of Ambassador Dougan's op-ed be printed in the RECORD at the end of my speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I).

Mr. BOND. Mr. President, in fact, the Prime Minister speaks eloquently about Hadhari Islam, meaning "civilisation Islam," meaning religion should be directed toward good, toward progress and toward development—all consistent with the Tenets of Islam.

The Prime Minister recently took this message in a powerful address before the World Council of Churches.

I will quote a couple of topics in his speech.

He said:

Islam Hadhari is an approach that emphasises development, consistent with the tenets of Islam, and focuses on enhancing the quality of life. It aims to achieve this via the mastery of knowledge; the development of the individual and the nation; the implementation of a dynamic economic, trading and financial system; and the pursuit of integrated and balanced development to develop pious and capable people, with care for the environment and protection of the weak and disadvantaged.

Further, he said:

Malaysia's experience and our promotion of Islam Hadhari also clearly demonstrate a progressive attitude towards relations with non-Muslim minorities and between gender. Our approach does not threaten the rights of non-Muslims. In fact, we celebrate the diversity of our respective cultures and heritage. Those of other faiths in Malaysia, although a minority, have never been persecuted and there is no tolerance in my administration for discrimination and prejudice against any religious group. I am a Muslim, but I am also a leader of all Malaysians—whatever their faith.

Similarly, we have tried to ensure that the rights of women are protected and that they fulfil their potential without having to face artificial barriers constructed in the name of Islam. We know Islam to be just and fair, and that it honours the position and rights of women. But there are clear instances of prejudices being cloaked in religious teachings in the Muslim world, aimed at passing off gender discrimination as the accepted norm. This will simply not do.

Finally, Singapore, which lies between two great nations with majority Muslim populations, should be commended for the valuable role it has assumed in promoting a continental dialogue over these critical issues.

Singapore Senior Minister, Goh Chok Tong, is leading the way to the creation of the Asia-Middle East Dialogue. Bourne out of an extensive trip to the Middle East, where he observed in many Middle East countries a mainstream society both diverse and inclusive, the first Asia-Middle East Dialogue, AMED, will be held June 2005 in Singapore.

An event of great ambition, AMED will bring together officials, academics, religious leaders and opinion makers for some 50 countries in the Middle East and Asia. As was noted to me, this is not a government-to-government meeting, this is a meeting best described as people to people.

Among many the goals: forging closer political, economic, and security ties; a critical one is to improve the socio-cultural relations between the peoples of the two regions. The platform will provide a framework for the two regions to engage, to highlight to reformist elements and give a voice to the changes taking place in the Middle East.

The growth in economic engagement and the inter-regional linkages will hopefully yield economic opportunities to push further the reform and liberalization of the economies of the Middle East.

I think there is value in that approach.

Above all, AMED will provide a platform for moderate Muslim countries to speak up and challenge the extremist strain of Islam. The threat presented by global terrorism stems from a militant, extremist ideology that uses religion to foment divisions between and within societies, to foster terrorist acts and murders of innocent civilians, government officials, and other leaders.

The forum, among others, will elevate elements to counter this movement.

In an encouraging sign, the Egyptian Government has offered to host the next AMED. I commend the Senior Minister. I commend Prime Minister Abdullah. I commend Yenny Zannuba Wahid, as well as the people of Singapore, for this important effort, which will have, I think, long-range benefits not only for the people of Islam and the people of Islamic countries, but all of us who are concerned about the rise of religious fanaticism misusing the peaceful religion of Islam.

I thank the Chair and my colleagues. I yield the floor.

EXHIBIT 1

[From the Asian Wall Street Journal, Nov. 19, 2004]

MALAYSIA'S SHADOW IS LIFTING

(By Diana Lady Dougan)

This week's very public reunion between Malaysia's new Prime Minister Abdullah Badawi and former Deputy Prime Minister Anwar Ibrahim may be cause for cautious celebration. It is now six years since then Prime Minister Mahathir Mohamad sacked Mr. Anwar at the height of the Asian financial crisis, replacing him with Mr. Abdullah. Six years in which the headlines generated by the controversial legal process surrounding Mr. Anwar's conviction for corruption and sodomy have cast a shadow over Malaysia's reputation as a rising star among industrializing nations.

Now that shadow is starting to lift. The first step came in September, when Malaysia's Federal Court overturned Mr. Anwar's sodomy conviction, a step viewed by many as a signal that Malaysia is back on the all-too-short list of "rule of law" countries in the Islamic world. This week saw another highly symbolic step. Mr. Anwar joined the head table of a high-profile banquet hosted by Mr. Abdullah to celebrate the end of Ramadan, the first meeting between the two men since his jailing six years ago.

This signaled Mr. Abdullah's emergence from Mr. Mahathir's shadow. Mr. Abdullah is secure in his position as prime minister of one of the largest secular Islamic countries. A leader of particular importance to the West because of his unequivocal denouncement of terrorism and the hate mongering of Islamic fundamentalists.

Despite many years in Mr. Mahathir's cabinet, including five as deputy prime minister, Mr. Abdullah was a largely unknown quantity when he quietly stepped into the departing prime minister's shoes last year. When he assumed the role in Oct. 2003, Mr. Abdullah did not wait long to lay the groundwork for governmental reforms. Initially, his efforts to tackle corruption, liberalize Malaysia's capital market and increase business transparency were dismissed in some quarters as predictable political posturing. But in the year since Mr. Abdullah became prime minister, even Moodys and Standard & Poor's have acknowledged Malaysia's efforts to improve its economic fundamentals. Malaysia has jumped to 15th place this year from 23rd place in 2003 in the ranking of attractive places for foreign direct investment among the 65 countries listed in the FDI Conference Index, according to a recent report from management consultants A.T. Kearney.

Malaysia and its new prime minister have a lot going for them. The Malaysian Central

Bank reports a 7.6% growth rate during the first half of this year, following growth of 5.2% in 2003. Its foreign reserves leapt to a record high of 221.1 billion ringgits (\$58.2 billion) in October.

Malaysia also has oil reserves. But unlike many oil producing countries in the Muslim world, Malaysia has a large and stable middle class. An enviable 82% of its population live above the poverty line.

Nonetheless Malaysia is often stigmatized as a Muslim society where Islam is constitutionally enshrined as the national religion. Although led by pragmatic and progressive leaders today, the country has historically had its share of radical Muslim activists. Indeed few Westerners recall that Mr. Anwar got his political start as a Muslim firebrand activist. And during his six years in jail, the former deputy prime minister has deftly orchestrated the creation of a new splinter party headed by Wan Azizah Wan Ismail, his conservatively shrouded ophthalmologist wife and mother of six. However since his September release, little had been seen of Mr. Anwar until this week. And it remains to be seen how much of the support for his political party will survive now that Mr. Anwar is no longer a folk hero in prison.

Although not as colorful as Messrs. Mahathir or Anwar, Mr. Abdullah has long enjoyed a personal reputation untainted by scandal. He is a devout Muslim with a university degree in Islamic studies reinforced by a father who taught the Koran and a grandfather who ran a madrassa religious school.

Ironically Mr. Abdullah's reputation as a respected scholar of the Koran has worked to Mr. Anwar's advantage in the past, and the two men have ties that go back far beyond this week's reunion. In 1980, when Mr. Anwar eloped to Thailand with his now wife, his father-in-law dramatically refused to acknowledge the marriage and disowned his daughter. The young couple recruited Mr. Abdullah as intermediary who was credited with using quotes from the Koran to successfully intercede on Mr. Anwar's behalf and convince his fundamentalist father-in-law to accept the marriage.

Armed with ethnically Arab heritage as well as Arabic language fluency (the name "Badawi" means "Bedouin" in Arabic), Abdullah Badawi comes with a credibility in the terror-plagued Middle East that Asian Muslims seldom have. And as a well-respected expert on the Koran, he cannot easily be yanked around nor intimidated by fundamentalist zealots who are distorting the Islamic faith and the world view.

Mr. Abdullah is starting to gain attention in the Arab world for his vocal and eloquent championing of "Islam Hadhari." Roughly translated as "Civilizational Islam," Islam Hadhari is not a new religion. Rather it is a rallying point for progressive Muslims in Malaysia. Islam Hadhari is committed to promoting ethnic and religious tolerance, equality for women, protecting the religious as well as political rights of minorities, and pursuing economic development based on education and fairness.

With many senior positions held by women in his government and a strong personal commitment to religious and ethnic tolerance embedded in his Chinese, Arab and Malay heritage, Prime Minister Abdullah walks the talk. If he can combine his strong and vocal advocacy of Islam Hadhari with continued progress in Malaysia's economic development based on rule-of-law government and market-based economics, he is well positioned to become an inspiration far beyond the borders of Malaysia.

As chair of both the 118 country Non Aligned Movement and the 57 country Organization of the Islamic Conference until 2006, Malaysia under Mr. Abdullah's leadership can command an international spotlight—especially in the Muslim world.

Clearly no single person can single-handedly defeat the distorted logic and deadly forces being unleashed in the name of Allah around the world, much less the debilitating economics that plague much of the Muslim world. But Mr. Abdullah is clearly working to turn the tide in the most important battle we are facing. For all our sakes, let's hope both Malaysia and its new prime minister take advantage of their unique opportunities.

TRIBUTE TO REPRESENTATIVE STEVEN J. RUDY

Mr. McCONNELL. Mr. President, I rise today to commend a fellow Kentuckian who, like all of us, has asked his neighbors for the honor of representing them in government. Representative Steven J. Rudy speaks for the residents of Ballard, Carlisle, Hickman, Fulton, and McCracken Counties in the Kentucky General Assembly. Amazingly, he won this honor last November at age 26, in his first bid for public office.

Representative Rudy has had a passion for politics and government his entire life. As a high school student, he once declared to his American government teacher that he would hold elective office by age 30. He has always been eager to share his ideas about issues, and to listen to others. After graduating college he worked as a high school teacher, and then at his family's store, Rudy's Farm Center, where he still works when not in Frankfort. In this way he keeps in touch with his constituents.

Representative Rudy has accomplished much in a short time, and I have no doubt he will continue to excel. I look forward to seeing this bright young Kentuckian mature on the political stage. As so many of our best and brightest, he has the potential to transform our Commonwealth into a worldwide leader in technology, medicine, industry, and the cultural arts. I wish him continued success as he follows in the tradition of public service carved out by distinguished Kentuckians such as Alben Barkley and Henry Clay.

Mr. President, I ask unanimous consent to print in the RECORD an article from The Paducah Sun, "Politician long in the making," about Representative Rudy's accomplishments and respect for public service.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Paducah Sun, Jan. 9, 2005]

POLITICIAN LONG IN THE MAKING

(By Matt Sanders)

KEVIL, KY—By his senior year at Ballard Memorial High School, Steven Rudy had developed such a keen interest in government